

Report Date: May 12, 2015

**United States District Court**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

for the

**May 13, 2015**

SEAN F. MCAVOY, CLERK

**Eastern District of Washington****Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Duane C. Rhoades

Case Number: 0980 4:15PO09001-JPH-1

Address of Offender: [REDACTED], Yakima, Washington [REDACTED]

Name of Sentencing Judicial Officer: The Honorable James P. Hutton, U.S. Magistrate Judge

Date of Original Sentence: January 30, 2015

Original Offense: Cts. 1-3: Misappropriation of Property and Services, 36 C.F.R. § 2.30(a)(3)

Original Sentence: Probation 12 months

Type of Supervision: Probation

Asst. U.S. Attorney: Thomas J. Hanlon

Date Supervision Commenced: February 6, 2015

Defense Attorney: Alex B. Hernandez, III

Date Supervision Expires: February 5, 2016

**PETITIONING THE COURT****To issue a summons.**

The probation officer believes the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<p><b><u>Mandatory Condition # 6:</u></b> If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.</p> <p><b><u>Supporting Evidence:</u></b> Mr. Rhoades has failed to make restitution payments as directed as of May 11, 2015.</p> <p>Mr. Rhoades signed a restitution payment agreement to start making payments towards his financial obligation starting March 2015, in the amount of \$200 per month. On April 27, 2015, Mr. Rhoades stated he would be making at least a \$100 payment by May 1, 2015. Mr. Rhoades has failed to make a restitution payment per the agreement as of May 11, 2015.</p>
2	<p><b><u>Special Condition # 14:</u></b> The defendant shall not incur any new debt, open additional lines of credit, or enter into any financial contracts, without the advance approval of the supervising officer.</p> <p><b><u>Supporting Evidence:</u></b> Mr. Rhoades failed to obtain authorization from his U.S. probation officer before entering into a financial contract as of May 11, 2015.</p>

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On May 8, 2015, the undersigned officer spoke with a representative from Fast Track Auto Sales in Fruitland, Idaho, who stated he had been in communication with Duane Rhoades regarding the purchase of a vehicle. The representative stated Mr. Rhoades gave a \$100 deposit, agreed to make a \$400 down payment and make \$175 monthly payments thereafter for the purchase of a vehicle. Mr. Rhoades did not obtain prior permission to enter into this financial contract.

- 3 **Standard Condition # 2:** The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first 5 days of each month.

**Supporting Evidence:** Mr. Rhoades failed to report to the U.S. Probation Office and submit his monthly report form as directed for the month of April 2015, as of May 11, 2015.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: May 12, 2015

s/Jose Zepeda

Jose Zepeda  
U.S. Probation Officer

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## THE COURT ORDERS

- ☐ No Action  
☐ The Issuance of a Warrant  
☒ The Issuance of a Summons  
☐ Other

  
Signature of Judicial Officer

5/13/2015

Date

